Approved For Release 1999/09/08 : CIA-RDP81-00755R000100090014-0

(4)

1. o.K.

2. o.K.

3. o.K.

4. O.K.

5. This is o.K. However, although our employees go to a specific post under a 24 month agreement, this does not necessarily mean that this is a definite fixed period. The 24 months is normally a minimum period of service and in fact, in most cases, our employees are encouraged to remain at their post beyond the 24 month period. As a result, in many instances, upon completion of a normal tour of duty, the return to the U.S. is not for separation or transfer purposes.

6. I agree with the contents of both sub-paragraphs.

Approved For Release 1999/09/08 : CIA-RDP81-00755R000100090014-0

Approved For Release 1999/09/08 : CIA-RDP81-00755R000100090014-0

7. If E.O. 10,000 and F.S. Series No. 922 state that differential payments are payable to eligible personnel during periods of leave and transit time, there is no legal problem. The payments should be ~~paid~~ made during such periods.

25X1C4a

[redacted]

Approved For Release 1999/09/08 : CIA-RDP81-00755R000100090014-0

Approved For Release 1999/09/08 : CIA-RDP81-00755R000100090014-0

8(b).

Admittedly some branches will abuse the administration of differential payments However, it is my opinion that in most instances, today, the operating branches are cooperating and are being honest about reassignments. If, when the individual completes his home leave, the assignment is changed, no damage has been done, since E.O. 10,000 provides for termination of differential payments upon completion of the period of home leave.

25X1A9a Mr. [redacted] argument that all differential payments claimed during periods of home leave and transit time will be an

Approved For Release 1999/09/08 : CIA-RDP81-00755R000100090014-0

Approved For Release 1999/09/08 : CIA-RDP81-00755R000100090014-0

individual basis is a valid one. However, I believe that all other agencies, must of necessity, follow the same practice.

ADDENDUM:

It is my personal opinion that this memorandum does not have to go forward to the Executive. It doesn't present any problem for which the Executive must make a decision. It merely presents a problem of legal interpretation of prescribed regulations which have been authorized ~~to be~~ ~~and~~ by the Director. If the regulations quoted in para 1, by ~~the~~ [redacted] memorandum

25X1A9a

Approved For Release 1999/09/08 : CIA-RDP81-00755R000100090014-0

Approved For Release 1999/09/08 : CIA-RDP81-00755R000100090014-0

state that differential payments are to be made ~~to~~ eligible employees during certain periods, there is no decision to be forthcoming from the Executive. The authority has already been granted by the Director and payments should be made accordingly.

JBK

Approved For Release 1999/09/08 : CIA-RDP81-00755R000100090014-0